

political commitments based on a broad understanding of security;

Whereas the OSCE is active in early warning, conflict prevention, crisis management, and post-conflict rehabilitation;

Whereas Russia and Georgia agreed at the 1999 OSCE Summit in Istanbul on specific steps regarding the withdrawal from Georgia of Russian forces, including military equipment limited by the Treaty on Conventional Armed Forces in Europe (CFE), and committed to resolve other key issues relating to the status and duration of the Russian military presence in Georgia;

Whereas Russia has completed some of the withdrawal from Georgia of military equipment limited by the CFE Treaty in excess of agreed levels, but has yet to agree with Georgia on the status of Russian forces at the Gudauata base and the duration of the Russian presence at the Akhalkalaki and Batumi bases;

Whereas Russia completed the withdrawal from Moldova of its declared military equipment limited by the CFE Treaty, but has yet to withdraw all its military forces from Moldova, as Russia committed to do at the 1999 OSCE Summit in Istanbul;

Whereas Russia made virtually no progress in 2004 toward its commitment to withdraw its military forces from Moldova;

Whereas Moldova has called for a genuinely international peacekeeping force to replace the Russian forces, and insists on the implementation by Russia of its commitment to withdraw its remaining military forces from Moldova;

Whereas Secretary of State Colin Powell stated at the December 2004 OSCE Ministerial in Sofia, Bulgaria, that "Russia's commitments to withdraw its military forces from Moldova, and to agree with Georgia on the duration of the Russian military presence there, remain unfulfilled. A core principle of the CFE Treaty is host country agreement to the stationing of forces. The United States remains committed to moving ahead with ratification of the Adapted CFE Treaty, but we will only do so after all the Istanbul commitments on Georgia and Moldova have been met. And we stand ready to assist with reasonable costs associated with the implementation of those commitments.";

Whereas since June 2004, Russia has called for the closure of the OSCE Border Monitoring Operation (BMO), the sole source of objective reporting on border crossings along the border between Georgia and with the Russian republics of Chechnya, Dagestan, and Ingushetia;

Whereas OSCE border monitors took up their mission in Georgia in May 2000, and prior to the failure to extend the mandate for the BMO in December 2004, OSCE border monitors, who are unarmed, were deployed at nine locations along that border;

Whereas the current rotation of the BMO includes 65 border monitors from 23 countries, including Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Croatia, the Czech Republic, Estonia, Finland, France, Hungary, Ireland, Lithuania, Macedonia, Moldova, Poland, Romania, Russia, Slovakia, Turkey, Ukraine, the United Kingdom, and the United States;

Whereas at the December 2004 OSCE Ministerial, Russia blocked renewal of the mandate for the BMO in Georgia;

Whereas Russia has stated that the BMO has accomplished nothing, but it has in fact accomplished a great deal, including observing 746 unarmed and 61 armed border crossings in 2004 and serving as a counterweight to inflammatory press reports;

Whereas in response to Russian complaints about the cost-effectiveness of the BMO, the OSCE agreed in December 2004 to cut the

number of monitors and thereby reduce the cost of the BMO by almost half;

Whereas the BMO began shutting down on January 1, 2005;

Whereas the staff of the BMO is now dismantling facilities and is not performing its mission;

Whereas the shutdown of the BMO will become irreversible in the second half of March 2005 and is currently scheduled to be completed by May 2005;

Whereas the United States has reiterated its disappointment over the failure of the Permanent Council of the OSCE to reach consensus on renewing the mandate of the BMO, despite request of Georgia, the host country of the BMO, that the OSCE continue the border monitoring operation, and the consensus of all states but one to extend the mandate for the BMO; and

Whereas United States Ambassador to the United States Mission to the OSCE, Stephan M. Minikes, said in a statement to the OSCE Permanent Council in Vienna on January 19, 2005, that "we believe that the closure of the BMO would remove a key source of peaceful relations and of objective reporting on events at the sensitive border and increase the likelihood of heightened Russia-Georgia tensions.";

Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the United States should—

(1) urge Russia to live up to its commitments at the 1999 Organization for Security and Cooperation in Europe (OSCE) Summit in Istanbul regarding Georgia and Moldova;

(2) in cooperation with its European allies, maintain strong diplomatic pressure to permit the OSCE Border Monitoring Operation (BMO) in Georgia to continue; and

(3) if the BMO ceases to exist, seek, in cooperation with its European allies, an international presence to monitor objectively border crossings along the border between Georgia and the Russian republics of Chechnya, Dagestan, and Ingushetia.

Mr. LUGAR. Mr. President, today I submit a resolution expressing the United States Senate's concern about Russia's actions in Georgia and Moldova.

At the Organization for Security & Cooperation in Europe's (OSCE) 1999 conference in Istanbul, Russia signed commitments to withdraw troops from both Georgia and Moldova. While Russia has fulfilled some aspects of those agreements, Russian troops and military bases remain in both countries. In my resolution, I urge Russia to live up to its 1999 Istanbul Commitments.

The resolution also addresses concerns about the OSCE's Border Monitoring Operation (BMO) in Georgia. The BMO, which took up its mission in Georgia in 2000, is the sole source of objective reporting on border crossings along Georgia's border with the Russian republics of Chechnya, Dagestan, and Ingushetia.

Since last June, Russia has called for the closure of the BMO in Georgia. In December, Russia blocked renewal of the mandate for the BMO, stating that it had accomplished nothing. I am disappointed that the OSCE was unable to renew the BMO's mandate. The BMO started shutting down in January and is expected to be fully closed by May.

The future of the BMO mission is uncertain. The United States, in cooperation with its European allies, should work to preserve the BMO in Georgia.

But if the BMO is not revived, my resolution calls upon the United States and its European allies to seek an international presence to monitor objectively crossings along Georgia's border.

I am concerned that if Russia does not fulfill its commitments to withdraw troops from Georgia and Moldova, and if the Border Monitoring Operation in Georgia shuts down, the security situation in the region could further deteriorate. The United States must provide strong leadership on these issues.

I ask my colleagues to support this resolution.

#### SENATE RESOLUTION 70—COMMEMORATING THE 40TH ANNIVERSARY OF BLOODY SUNDAY

Mr. FRIST (for himself, Mr. CORZINE, Mr. MCCONNELL, Mr. KENNEDY, Mr. ALLEN, Mr. REID, and Mr. ALEXANDER) submitted the following resolution; which was considered and agreed to:

S. RES. 70

Whereas March 7, 2005, marks the 40th anniversary of Bloody Sunday, the day on which some 600 civil rights marchers were demonstrating for African American voting rights;

Whereas Jimmy Lee Jackson was killed February 26, 1965, 2 weeks prior to Bloody Sunday, at a civil rights demonstration while trying to protect his mother and grandfather from a law enforcement officer;

Whereas Congressman John Lewis and the late Hosea Williams led these marchers across the Edmund Pettus Bridge in Selma, Alabama where they were attacked with billy clubs and tear gas by State and local lawmen;

Whereas the circumstances leading to Selma's Bloody Sunday represented a set of grave injustices for African Americans which included—

(1) the murder of Herbert Lee of Liberty, Mississippi for attending voter education classes;

(2) the cutting off of Federal food relief by State authorities in 2 of the poorest counties in Mississippi in order to intimidate residents from registering to vote; and

(3) the loss of jobs or refusal of credit to registered black voters at local banks and stores;

Whereas during the march on Bloody Sunday Congressman Lewis was beaten unconscious, leaving him with a concussion and countless other injuries;

Whereas footage of the events on Bloody Sunday was broadcast on national television that night and burned its way into the Nation's conscience;

Whereas the courage, discipline, and sacrifice of these marchers caused the Nation to respond quickly and positively; and

Whereas the citizens of the United States must not only remember this historic event, but also commemorate its role in the creation of a more just society and appreciate the ways in which it has inspired other movements around the world: Now, therefore, be it

*Resolved*, That Congress commemorates the 40th anniversary of Bloody Sunday.

#### SENATE RESOLUTION 71—DESIGNATING THE WEEK BEGINNING MARCH 13, 2005 AS "NATIONAL SAFE PLACE WEEK"

Mr. CRAIG (for himself, Mrs. FEINSTEIN, Mr. DEWINE, Mr. LIEBERMAN, Mr.

COCHRAN, Mr. JOHNSON, Mr. HATCH, Mr. KOHL, Ms. MURKOWSKI, Mrs. BOXER, Mr. INHOFE, Ms. LANDRIEU, Mr. FEINGOLD, Mr. INOUE, Mrs. LINCOLN, and Ms. MIKULSKI submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 71

Whereas today's youth are vital to the preservation of our country and will be the future bearers of the bright torch of democracy;

Whereas youth need a safe haven from various negative influences such as child abuse, substance abuse and crime, and they need to have resources readily available to assist them when faced with circumstances that compromise their safety;

Whereas the United States needs increased numbers of community volunteers acting as positive influences on the Nation's youth;

Whereas the Safe Place program is committed to protecting our Nation's most valuable asset, our youth, by offering short term "safe places" at neighborhood locations where trained volunteers are available to counsel and advise youth seeking assistance and guidance;

Whereas the Safe Place program combines the efforts of the private sector and non-profit organizations uniting to reach youth in the early stages of crisis;

Whereas the Safe Place program provides a direct way to assist programs in meeting performance standards relative to outreach and community relations, as set forth in the Federal Runaway and Homeless Youth Act guidelines;

Whereas the Safe Place placard displayed at businesses within communities stands as a beacon of safety and refuge to at-risk youth;

Whereas more than 700 communities in 41 states and more than 14,000 locations have established Safe Place programs;

Whereas more than 75,000 young people have gone to Safe Place locations to get help when faced with crisis situations;

Whereas through the efforts of Safe Place coordinators across the country each year more than one-half million students learn that Safe Place is a resource if abusive or neglectful situations exist;

Whereas increased awareness of the program's existence will encourage communities to establish Safe Places for the Nation's youth throughout the country: Now, therefore, be it

*Resolved*, That the Senate—

(1) proclaims the week of March 13 through March 19, 2005 as "National Safe Place Week" and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested groups to promote awareness of and volunteer involvement in the Safe Place programs, and to observe the week with appropriate ceremonies and activities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 42. Mr. SCHUMER (for himself, Mr. BINGAMAN, Mr. DURBIN, Mrs. FEINSTEIN, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 256, to amend title 11 of the United States Code, and for other purposes.

SA 43. Mrs. CLINTON (for herself and Mr. CORZINE) submitted an amendment intended to be proposed by her to the bill S. 256, supra; which was ordered to lie on the table.

SA 44. Mr. KENNEDY (for himself, Mrs. CLINTON, Mr. KERRY, Ms. MIKULSKI, Mr.

FEINGOLD, and Mr. DAYTON) proposed an amendment to the bill S. 256, supra.

SA 45. Mr. DORGAN (for himself, Mr. DURBIN, and Mr. BYRD) proposed an amendment to the bill S. 256, supra.

SA 46. Mr. NELSON, of Nebraska submitted an amendment intended to be proposed by him to the bill S. 256, supra; which was ordered to lie on the table.

SA 47. Mr. SCHUMER (for himself, Mr. REID, Mr. LEAHY, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 256, supra; which was ordered to lie on the table.

SA 48. Mr. SPECTER proposed an amendment to the bill S. 256, supra.

SA 49. Mr. DURBIN (for himself, Mr. KENNEDY, and Mr. DAYTON) proposed an amendment to the bill S. 256, supra.

SA 50. Mr. REID (for Mr. BAUCUS) proposed an amendment to the bill S. 256, supra.

#### TEXT OF AMENDMENTS

SA 42. Mr. SCHUMER (for himself, Mr. BINGAMAN, Mr. DURBIN, Mrs. FEINSTEIN, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 256, to amend title 11 of the United States Code, and for other purposes; as follows:

On page 205, between lines 16 and 17, insert the following:

##### SEC. 332. ASSET PROTECTION TRUSTS.

Section 548 of title 11, United States Code, as amended by this Act, is further amended by adding at the end the following:

"(e) The trustee may avoid a transfer of an interest of the debtor in property made by an individual debtor within 10 years before the date of the filing of the petition to an asset protection trust if the amount of the transfer or the aggregate amount of all transfers to the trust or to similar trusts within such 10-year period exceeds \$125,000, to the extent that debtor has a beneficial interest in the trust and the debtor's beneficial interest in the trust does not become property of the estate by reason of section 541(c)(2). For purposes of this subsection, a fund or account of the kind specified in section 522(d)(12) is not an asset protection trust."

SA 43. Mrs. CLINTON (for herself and Mr. CORZINE) submitted an amendment intended to be proposed by her to the bill S. 256, to amend title 11 of the United States Code, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

##### SEC. . SELF-SETTLED TRUSTS.

Section 541(c)(2) of title 11, United States Code, is amended by striking the period at the end and inserting the following:

"unless—

"(A) the settler of the trust is also a trust beneficiary;

"(B) the trust is a domestic self-settled trust; or

"(C) the trust is a foreign self-settled trust."

SA 44. Mr. KENNEDY (for himself, Mrs. CLINTON, Mr. KERRY, Ms. MIKULSKI, Mr. FEINGOLD, and Mr. DAYTON) proposed an amendment to the bill S. 256, to amend title 11 of the United States Code, and for other purposes; as follows:

At the appropriate place, insert the following:

#### TITLE —FEDERAL MINIMUM WAGE

##### SEC. .01. SHORT TITLE.

This Act may be cited as the "Fair Minimum Wage Act of 2005".

##### SEC. .02. MINIMUM WAGE.

(a) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

"(1) except as otherwise provided in this section, not less than—

"(A) \$5.85 an hour, beginning on the 60th day after the date of enactment of the Fair Minimum Wage Act of 2005;

"(B) \$6.55 an hour, beginning 12 months after that 60th day; and

"(C) \$7.25 an hour, beginning 24 months after that 60th day;"

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 60 days after the date of enactment of this Act.

##### SEC. .03. APPLICABILITY OF MINIMUM WAGE TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) IN GENERAL.—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) shall apply to the Commonwealth of the Northern Mariana Islands.

(b) TRANSITION.—Notwithstanding subsection (a), the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall be—

(1) \$3.55 an hour, beginning on the 60th day after the date of enactment of this Act; and

(2) increased by \$0.50 an hour (or such lesser amount as may be necessary to equal the minimum wage under section 6(a)(1) of such Act), beginning 6 months after the date of enactment of this Act and every 6 months thereafter until the minimum wage applicable to the Commonwealth of the Northern Mariana Islands under this subsection is equal to the minimum wage set forth in such section.

SA 45. Mr. DORGAN (for himself, Mr. DURBIN, and Mr. BYRD) proposed an amendment to the bill S. 256, to amend title 11 of the United States Code, and for other purposes; as follows:

Add at the end the following:

#### TITLE XVI—SPECIAL COMMITTEE OF SENATE ON WAR AND RECONSTRUCTION CONTRACTING

##### SEC. 1601. FINDINGS.

Congress makes the following findings:

(1) The wars in Iraq and Afghanistan have exerted very large demands on the Treasury of the United States and required tremendous sacrifice by the members of the Armed Forces of the United States.

(2) Congress has a constitutional responsibility to ensure comprehensive oversight of the expenditure of United States Government funds.

(3) Waste and corporate abuse of United States Government resources are particularly unacceptable and reprehensible during times of war.

(4) The magnitude of the funds involved in the reconstruction of Afghanistan and Iraq and the war on terrorism, together with the speed with which these funds have been committed, presents a challenge to the effective performance of the traditional oversight function of Congress and the auditing functions of the executive branch.

(5) The Senate Special Committee to Investigate the National Defense Program, popularly known as the Truman Committee, which was established during World War II, offers a constructive precedent for bipartisan oversight of wartime contracting that can also be extended to wartime and postwar reconstruction activities.